

In the High Court for the States of Punjab and Haryana, at Chandigarh.

C.R. No. 2714 of 2004 (O&M)
Decided on January 11, 2007.

Madan Lal

---- Petitioner

vs.

Bhagwan Dass and others

---- Respondents.

Present: Ms. Deepali Puri, Advocate, for the petitioner

Mr.C.B.Goel, Advocate, for the respondents.

Pritam Pal, J: (Oral)

After arguing for some time, learned counsel for the parties have fairly admitted that Madan Lal, petitioner had taken possession of 8 kanals of land in execution of his decree, which, in fact, was only for 3 kanals. Learned counsel for the respondents has stated that he is concerned with only for possession of 5 kanals, which was over and above 3 kanals of land for which, decree was passed in favour of Madan Lal, petitioner in Civil Suit No. 456 of 1990. To this, learned counsel for the petitioner has no objection, who has rather fairly stated that possession of 5 kanals, which was taken in execution of decree passed in Civil suit No.456 of 1990, decided on November 15, 1990, will be restored to respondent No.1. Then it is stated by learned counsel for respondent No.1 that after delivering possession of 5 kanals of land, no further claim on any other property on the basis of any litigation pending before the

Courts below,shall be raised.

It is also pertinent to mention here that this controversy has already been set at rest by Hon'ble Mr. Justice M.M.Kumar, in his order dated July 01,2002 passed in Civil Revision No. 250 of 1999 and that the order of His Lordship has already attained finality, as no appeal or any revision has been filed against that order.

In this view of the matter, this Civil Revision is hereby dismissed. The Executing Court shall take necessary steps for delivering the possession back to respondent No.1, in the light of above observations.

January 11,2007
RR

(Pritam Pal)
Judge